

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

EVERETT WAYNE SCRUGGS,

Plaintiff,

v.

DANVILLE REGIONAL MEDICAL  
CENTER OF VIRGINIA, L.L.C.,

Defendant.

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Case No. 4:08CV00005

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**ORDER**

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By: Jackson L. Kiser

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Senior United States District Judge

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Before me is Defendant's *Motion to Dismiss*. For the reasons given in the accompanying *Memorandum Opinion*, Defendant's *Motion to Dismiss* is **DENIED**.

The Clerk is directed to send a copy of this *Order* and the accompanying *Memorandum Opinion* to all counsel of record.

Entered this 5<sup>th</sup> day of September, 2008.

s/Jackson L. Kiser

Senior United States District Judge